



Customer No. 000959  
Attorney's Docket No. BGI-141CP

**DECLARATION, PETITION AND POWER OF ATTORNEY FOR  
CONTINUATION-IN-PART PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND MICROORGANISMS FOR PRODUCTION OF PANTO-COMPOUNDS**

the specification of which

- ☐ executed by me of even date herewith and about to be filed;
- ☒ was filed on September 21, 2000 as Application Serial No. 09/667,569 ;  
and
- ☒ was amended on September 21, 2000 .  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

This application in part discloses and claims subject matter disclosed in my earlier filed application(s), as follows:

- ☒ Serial No. 09/400,494 filed September 21, 1999 ; as to  
which I claim priority benefit under Title 35, United States Code, §120.
- ☒ Serial No. 60/210,072 filed June 7, 2000 ; as to  
which I claim priority benefit under Title 35, United States Code, §119(e).
- ☒ Serial No. 60/221,836 filed July 28, 2000 ; as to  
which I claim priority benefit under Title 35, United States Code, §119(e).
- ☒ Serial No. 60/227,860 filed August 24, 2000 ; as to  
which I claim priority benefit under Title 35, United States Code, §119(e).

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of the continuation-in-part application.

### AS TO PARENT APPLICATION

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on the common subject matter, filed in or designating any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

☒ no such applications have been filed.

☐ such applications have been filed as follows

#### EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

#### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


### AS TO THIS APPLICATION

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on the common subject matter, filed in or designating any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

☒ no such applications have been filed.

☐ such applications have been filed as follows

#### EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

Country	Application Number	Date of Filing (month.day.year)	Priority Claimed Under 35 USC 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

#### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


### CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/210,072</u>	<u>June 7, 2000</u>
(Application Serial No.)	(Filing Date)

<u>60/221,836</u>	<u>July 28, 2000</u>
(Application Serial No.)	(Filing Date)

<u>60/227,860</u>	<u>August 24, 2000</u>
(Application Serial No.)	(Filing Date)

### CLAIM FOR BENEFIT OF U.S. PATENT APPLICATION(S)

I hereby claim the benefit under 35 U.S.C. §120 of any United States patent application(s) listed below.

<u>09 400,494</u>	<u>September 21, 1999</u>
(Application Serial No.)	(Filing Date)

<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James E. Cockfield	Reg. No. 19,162	Megan E. Williams	Reg. No. 43,270
Thomas V. Smurzynski	Reg. No. 24,798	Nicholas P. Triano III	Reg. No. 36,397
Ralph A. Loren	Reg. No. 29,325	Jeremiah Lynch	Reg. No. 17,425
Giulio A. DeConti, Jr.	Reg. No. 31,503	David J. Ridders	Reg. No. 43,882
Ann Lamport Hammitte	Reg. No. 34,858	Maria C. Laccotripe	Limited Recognition Under 37 C.F.R. § 10.9(b)
Elizabeth A. Hanley	Reg. No. 33,505	Debra J. Milasincic	Reg. No. 46,931
Amy E. Mandragouras	Reg. No. 36,207	David R. Burns	Reg. No. 46,590
Anthony A. Laurentano	Reg. No. 38,220	Sean D. Detweiler	Reg. No. 42,482
Kevin J. Canning	Reg. No. 35,470	Peter S. Stecher	Reg. No. 47,259
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all of: **Lahive & Cockfield, LLP**, 28 State Street, Boston, MA 02109  
United States of America

Send Correspondence to **Elizabeth A. Hanley, Esq. at Customer No. 000959** whose address is:

**Lahive & Cockfield, LLP**  
**28 State Street**  
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Direct telephone calls to **Elizabeth A. Hanley, Esq. at (617) 227-7400**.

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor R. Rogers Yocum	
Inventor's signature	Date
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Citizenship United States of America	
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Full name of second inventor, if any Thomas A. Patterson	
Inventor's signature <i>Thomas A. Patterson</i>	Date 07/31/2001
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Citizenship United States of America	
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Full name of third inventor, if any Theron Hermann	
Inventor's signature <i>Theron Hermann</i>	Date 8/1/01
Residence 18 Chilhowie Drive, Kinnelon, New Jersey 07405	
Citizenship United States of America	
Post Office Address (if different)	

Full name of third inventor, if any Janice G. Pero	
Inventor's signature <i>Janice G. Pero</i>	Date 8/1/01
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Post Office Address (if different) Same as above	